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GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			STACE, BRENT S	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/628,211	BRADY ET AL.
	Examiner Brent S. Stace	Art Unit 2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>20060112</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Remarks

1. Claims 1-26 have been examined. Claims 1-26 have been rejected. This document is the first Office action on the merits.

Specification

2. The disclosure is objected to because of the following informality:
 - a. The last sentence in the specification does not end with a period.
Appropriate correction is required.
3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 1, elements 156-158. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing

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sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-26 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims lack a useful, concrete and tangible result of actually identifying a subscriber's local service provider as claimed. For example, Claim 1's result is merely launching a query, which, as claimed, does not identify a subscriber's local service provider. Claims 10, 18, and 25 contain the same reasoning for rejection, and none of the dependant claims remedy this deficiency. Therefore, Claims 1-26 are rejected.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 4, 6, 7, 9, 18, 21, 22, and 24 are rejected under 35 U.S.C. 102(b) as

being anticipated by U.S. Patent No. 5,661,792 (Akinpelu et al.).

9. **Claim 1** can be mapped to Akinpelu as follows: "A method of identifying a subscriber's local service provider in response to a telephone call from the subscriber to a called party, [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 50-59] the method comprising:

- receiving a request from a customer for the identity of the subscriber's local service provider; [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 50-59]
- determining which of a plurality of databases to query; [Akinpelu, col. 3, col. 53-55]
- determining a message type to send to the database selected in response to the first determination; [Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33] and
- launching a query to the selected database" [Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

10. **Claim 4** can be mapped to Akinpelu as follows: "The method according to claim 1, further comprising receiving a response from the selected database that was queried"

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[Akinpelu, col. 3, lines 54-63 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

11. **Claim 6** can be mapped to Akinpelu as follows: "The method according to claim 1, wherein the launching further comprises launching a query to one of the plurality of databases prior to the telephone call being connected to the called party" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

12. **Claim 7** can be mapped to Akinpelu as follows: "The method according to claim 1, wherein the launching further comprises launching a query to one of the plurality of databases during the pendency of the telephone call" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

13. **Claim 9** can be mapped to Akinpelu as follows: "The method according to claim 1, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

14. **Claim 18** can be mapped to Akinpelu as follows: "A system for identifying a subscriber's local service provider associated with a telephone call from the subscriber to a called party, [Akinpelu, Figs. 1, 7 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 50-59] the system comprising:

- a gateway that receives a request from a customer to ascertain the identity of the subscriber's local service provider, [Akinpelu, col. 3, lines 50-60 with Akinpelu, col. 4, lines 50-59] the gateway being able to determine one of a plurality of message types in which to query one of a plurality of databases" [Akinpelu, col.

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3, col. 53-55 with Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

15. **Claim 21** can be mapped to Akinpelu as follows: "The system according to claim 18, wherein the request is received prior to the telephone call being connected to the called party" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

16. **Claim 22** can be mapped to Akinpelu as follows: "The system according to claim 18, wherein the request is received during the pendency of the telephone call" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

17. **Claim 24** can be mapped to Akinpelu as follows: "The system according to claim 18, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

20. Claims 2, 10, 12, 14, 15, 17, 19, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.).

21. For Claim 2, Akinpelu teaches: "The method according to claim 1."

Akinpelu discloses the above limitation but does not expressly teach: "...wherein the determining of message type is based upon a cost associated with each of a plurality of available message types."

With respect to Claim 2, an analogous art, Cochrane, teaches: "...wherein the determining of message type is based upon a cost associated with each of a plurality of available message types" [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane with Akinpelu because both inventions are directed towards querying databases.

Cochrane's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose determining the message type is based upon a cost associated with each available message types. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and install it into the method of Akinpelu, thereby offering the obvious advantage of determining the best query to perform to get the appropriate data to reduce query impact on the database.

22. **Claim 10** encompasses substantially the same scope of the invention as that of Claims 1 and 2, in addition to a method and some steps for performing the method stepd of Claims 1 and 2. Therefore, Claim 10 is rejected for the same reasons as stated above with respect to Claims 1 and 2.

23. **Claim 12** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The method according to claim 10, further comprising receiving a response from the queried database" [Akinpelu, col. 3, lines 54-63 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

24. **Claim 14** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The method according to claim 10, wherein the launching further comprises launching a

query to one of the plurality of databases prior to the telephone call being connected to the called party" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

25. **Claim 15** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The method according to claim 10, wherein the launching further comprises launching a query to one of the plurality of databases during the pendency of the telephone call" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

26. **Claim 17** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The method according to claim 10, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

27. For **Claim 19**, Akinpelu teaches: "The system according to claim 18."

Akinpelu discloses the above limitation but does not expressly teach: "...wherein the gateway determines the message type based upon a cost associated with each available message type."

With respect to Claim 19, an analogous art, Cochrane, teaches: "...wherein the gateway determines the message type based upon a cost associated with each available message type" [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29].

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It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane with Akinpelu because both inventions are directed towards querying databases.

Cochrane's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose determining the message type is based upon a cost associated with each available message types. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and install it into the method of Akinpelu, thereby offering the obvious advantage of determining the best query to perform to get the appropriate data to reduce query impact on the database.

28. **Claim 25** encompasses substantially the same scope of the invention as that of Claim 10, in addition to a computer readable medium and some code for performing the method steps of Claim 10. Therefore, Claim 25 is rejected for the same reasons as stated above with respect to Claim 10.

29. **Claim 26** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The system according to claim 25, wherein at least one of the plurality of databases

comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

30. Claims 3, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 5,987,452 (Kung).

31. For **Claim 3**, Akinpelu teaches: "The method according to claim 1."

Akinpelu discloses the above limitation but does not expressly teach: "...wherein the determining of message type is based upon the message type supported by each of the plurality of databases."

With respect to Claim 3, an analogous art, Kung, teaches: "...wherein the determining of message type is based upon the message type supported by each of the plurality of databases" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose that the determination of the message type is based upon the message type supported by each of the databases. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the method of Akinpelu, thereby offering the obvious advantage of gaining support for querying other databases from one location.

32. For Claim 20, Akinpelu teaches: "The system according to claim 18."

Akinpelu discloses the above limitation but does not expressly teach: "...wherein the gateway determines the message type based upon a message type supported by each of the plurality of databases."

With respect to Claim 20, an analogous art, Kung, teaches: "...wherein the gateway determines the message type based upon a message type supported by each of the plurality of databases" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose that the determination of the message type is based upon the message type supported by each of the databases. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the system of Akinpelu, thereby offering the obvious advantage of gaining support for querying other databases from one location.

33. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,570,973 (Boughman et al.).

34. For Claim 5, Akinpelu teaches: "The method according to claim 4."

Akinpelu discloses the above limitation but does not expressly teach: "...further comprising formatting and sending a response to the customer."

With respect to Claim 5, an analogous art, Boughman, teaches: "...further comprising formatting and sending a response to the customer" [Boughman, col. 3, lines 29-35 with Akinpelu, col. 6, lines 21-25].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Boughman with Akinpelu because both inventions are directed towards the use of telecommunication systems.

Boughman's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use telecommunication systems with databases and customers. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose formatting and sending a response to the

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customer. Boughman discloses a system and method for toll notification when placing a call comprising notifying the user of whether a toll call is being placed.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Boughman and install it into the method of Akinpelu, thereby offering the obvious advantage of giving the customer an opportunity if they wish to complete the call or not based on the notification.

35. Claims 8, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 4,975,942 (Zebryk).

36. For Claim 8, Akinpelu teaches: "The method according to claim 1."

Akinpelu discloses the above limitation but does not expressly teach: "...wherein the launching further comprises launching a query to one of the plurality of databases after the telephone call has been disconnected."

With respect to Claim 8, an analogous art, Zebryk, teaches: "...wherein the launching further comprises launching a query to one of the plurality of databases after the telephone call has been disconnected" [Zebryk, col. 3, lines 15-39 with Akinpelu, col. 4, lines 50-59].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Zebryk with Akinpelu because both inventions are directed towards the use of telecommunication systems.

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Zebryk's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use telecommunication systems with databases and customers. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose launching a query after the telephone call. Zebryk discloses a credit/calling card pay telephone method and system employing telephone unit local card-checking and other intelligence cooperative with local personal host computer comprising recording call information after the call has terminated.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Zebryk and install it into the method of Akinpelu, thereby offering the obvious advantage of accurately recording call records of Akinpelu.

37. For Claim 23, Akinpelu teaches: "The system according to claim 18."

Akinpelu discloses the above limitation but does not expressly teach: "...wherein the request is received after the telephone call has been disconnected."

With respect to Claim 23, an analogous art, Zebryk, teaches: "...wherein the request is received after the telephone call has been disconnected" [Zebryk, col. 3, lines 15-39 with Akinpelu, col. 4, lines 50-59].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Zebryk with Akinpelu because both inventions are directed towards the use of telecommunication systems.

Zebryk's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use telecommunication systems with

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databases and customers. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose launching a query after the telephone call. Zebryk discloses a credit/calling card pay telephone method and system employing telephone unit local card-checking and other intelligence cooperative with local personal host computer comprising recording call information after the call has terminated.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Zebryk and install it into the method of Akinpelu, thereby offering the obvious advantage of accurately recording call records of Akinpelu.

38. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.), further in view of U.S. Patent No. 5,987,452 (Kung).

39. For Claim 11, Akinpelu (as modified by Cochrane) teaches: "The method according to claim 10."

Akinpelu (as modified by Cochrane) discloses the above limitation but does not expressly teach: "...wherein the determination is further based upon the message type supported by each of the plurality of databases."

With respect to Claim 11, an analogous art, Kung, teaches: "...wherein the determination is further based upon the message type supported by each of the plurality of databases" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

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It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu (as modified by Cochrane) because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu (as modified by Cochrane)'s invention because both inventions use databases. Akinpelu (as modified by Cochrane) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Cochrane) does not expressly disclose that the determination of the message type is based upon the message type supported by each of the databases. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the method of Akinpelu (as modified by Cochrane), thereby offering the obvious advantage of gaining support for querying other databases from one location.

40. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.), further in view of U.S. Patent No. 6,570,973 (Boughman et al.).

41. For Claim 13, Akinpelu (as modified by Cochrane) teaches: "The method according to claim 12."

Akinpelu (as modified by Cochrane) discloses the above limitation but does not expressly teach: "...further comprising formatting and sending a response to the customer."

With respect to Claim 13, an analogous art, Boughman, teaches: "...further comprising formatting and sending a response to the customer" [Boughman, col. 3, lines 29-35 with Akinpelu, col. 6, lines 21-25].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Boughman with Akinpelu (as modified by Cochrane) because both inventions are directed towards the use of telecommunication systems.

Boughman's invention would have been expected to successfully work well with Akinpelu (as modified by Cochrane)'s invention because both inventions use telecommunication systems with databases and customers. Akinpelu (as modified by Cochrane) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Cochrane) does not expressly disclose formatting and sending a response to the customer. Boughman discloses a system and method for toll notification when placing a call comprising notifying the user of whether a toll call is being placed.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Boughman and install it into the method of Akinpelu (as modified by Cochrane), thereby offering the obvious advantage of giving the customer an opportunity if they wish to complete the call or not based on the notification.

42. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.), further in view of U.S. Patent No. 4,975,942 (Zebryk).

43. For Claim 16, Akinpelu (as modified by Cochrane) teaches: "The method according to claim 10."

Akinpelu (as modified by Cochrane) discloses the above limitation but does not expressly teach: "...wherein the launching further comprises launching a query to one of the plurality of databases after the telephone call has been disconnected."

With respect to Claim 16, an analogous art, Zebryk, teaches: "...wherein the launching further comprises launching a query to one of the plurality of databases after the telephone call has been disconnected" [Zebryk, col. 3, lines 15-39 with Akinpelu, col. 4, lines 50-59].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Zebryk with Akinpelu (as modified by Cochrane) because both inventions are directed towards the use of telecommunication systems.

Zebryk's invention would have been expected to successfully work well with Akinpelu (as modified by Cochrane)'s invention because both inventions use telecommunication systems with databases and customers. Akinpelu (as modified by Cochrane) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Cochrane) does not expressly disclose launching a query after the telephone call.

Zebryk discloses a credit/calling card pay telephone method and system employing telephone unit local card-checking and other intelligence cooperative with local personal host computer comprising recording call information after the call has terminated.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Zebryk and install it into the method of Akinpelu (as modified by Cochrane), thereby offering the obvious advantage of accurately recording call records of Akinpelu (as modified by Cochrane).

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Conclusion

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised that, although not used in the rejections above, prior art cited on the PTO-892 form and not relied upon is considered materially relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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